

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JOAN MULLIN, ADMINISTRATRIX OF THE  
ESTATE OF ROBERT MULLIN, deceased,  
and JOAN MULLIN, individually,

Plaintiffs,

v.

ADMINISTRATOR KAREN BALICKI, et  
al.,

Defendants.

CIVIL ACTION NO. 11-247 (MLC)

**O R D E R**

For the reasons stated in the Court's Memorandum Opinion  
dated November 1, 2013, **IT IS** on this 1st day of November,  
2013, **ORDERED** that the motion to dismiss by Defendants  
Administrator Karen Balicki, Director Robert Patterson, Director  
Marie Dunlap-Pryce, Officer Dimler, and Beatrice Teel, R.N.,  
(dkt. entry no. 145) is **GRANTED**; and it is further  
**ORDERED** that the motion for judgment on the pleadings by  
Defendant Jane Byrd, L.P.N., (dkt. entry no. 144) is **GRANTED IN**  
**PART** and **DENIED IN PART** as follows:

**GRANTED** as to the claims against Jane Byrd, L.P.N., in  
her official capacity; and

**GRANTED** as to the state common-law claims against Jane  
Byrd, L.P.N.; and

**DENIED** as to the constitutional claims under 42 U.S.C. § 1983 and N.J.S.A. 10:6-1 et seq. against Jane Byrd, L.P.N., in her individual or personal capacity; and it is further

**ORDERED** that all claims against Defendants Administrator Karen Balicki, Director Robert Patterson, Director Marie Dunlap-Pryce, Officer Dimler, and Beatrice Teel, R.N., are **DISMISSED**; and it is further

**ORDERED** that the Clerk of the Court will designate the action insofar as it is brought against Defendants Administrator Karen Balicki, Director Robert Patterson, Director Marie Dunlap-Pryce, Officer Dimler, and Beatrice Teel, R.N., as **TERMINATED**; and it is further

**ORDERED** that the claims asserted against Defendant Jane Byrd, L.P.N., in her official capacity, and the state common-law claims asserted against her, are **DISMISSED**; and it is further

**NOTED** that Defendants Jane Byrd, L.P.N., and Kintock Group are the only viable defendants remaining in the action, and that the Clerk of the Court should designate the action insofar as it is brought against all other defendants as **TERMINATED**; and it is further

**ORDERED** that the motion filed on the docket under docket entry number 146 is **ADMINISTRATIVELY TERMINATED** as unnecessary.

s/ Mary L. Cooper  
MARY L. COOPER  
United States District Judge